

Message Text

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ACTION DLOS-05

INFO OCT-01 NEA-09 IO-10 ISO-00 FEA-01 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

H-02 INR-07 INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-01

OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06

AF-06 ARA-06 EA-06 EUR-12 /143 W
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FM USMISSION GENEVA

TO SECSTATE WASHDC 1732

INFO AMEMBASSY CAIRO

AMEMBASSY TEL AVIV

AMEMBASSY TEHRAN

C O N F I D E N T I A L GENEVA 2188

FROM USDEL LOS

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: ARAB-ISRAELI STRAITS EXCHANGE IN COMMITTEE II

1. AT INFORMAL MEETING OF CMTE II, 25 MAR 75 AM, ISRAEL STATED ITS SUPPORT OF FREE TRANSIT FOR ALL STRAITS INCLUDING BOTH THOSE CONNECTING HIGH SEAS TO HIGH SEAS AND THOSE CONNECTING HIGH SEAS TO TERRITORIAL SEA OF FOREIGN STATES. (COMMENT: WITH A 12-MILE TERRITORIAL SEA, TIRAN AND AQABA FALL INTO THE LATTER CATEGORY.) ISREAL ARGUED THAT ART 16(4) OF 1958 TERRITORIAL SEA CONVENTION ESTABLISHED PRINCIPLE OF EQUALITY OF TREATMENT FOR ALL TYPES OF STRAITS AND REMINDED DELEGATES TO BE MINDFUL OF SPECIAL PROBLEMS CREATED BY GULFS WHICH HAVE SEVERAL BORDERING STATES AND WHOSE EN-
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TRANSE IS CONTROLLED BY A STRAIT.

2. PREDICTABLE ARAB REACTION OCCURRED, WITH UAE POINTING OUT THAT ARAB STATES HAD NOT RATIFIED TERRITORIAL SEA CONVENTION AND THAT CONFERENCE SHOULD DEAL ONLY WITH ISSUES WHICH AFFECT INTERNATIONAL COMMUNITY SUCH AS STRAITS CONNECTING HIGH SEAS TO HIGH SEAS. STRAITS CONNECTING HIGH SEAS TO TERRITORIAL SEAS ARE A SPECIAL CASE THE CONFERENCE SHOULD NOT DEAL WITH.

3. IRAN SUPPORTED UAE AND MADE ADDITIONAL PLEA FOR RECOGNITION OF SPECIAL NEEDS OF STATES BORDERING SEMI-ENCLOSED SEAS, WITH THE FLAG VESSELS OF SUCH STATES ENJOYING FREE TRANSIT WHILE FLAG VESSELS OF STATES NOT BORDERING SUCH SEAS WOULD HAVE RIGHT OF INNOCENT PASSAGE.

4. EGYPT REAFFIRMED ITS POSITION ANNOUNCED AT CARACAS THAT INNOCENT PASSAGE SHOULD APPLY IN ALL STRAITS, WITH PASSAGE OF COMMERCIAL VESSELS PRESUMED INNOCENT. AS REGARDS MILITARY VESSELS, EGYPT OPPOSED ANY PRESUMPTION OF INNOCENCE ON GROUNDS LDCS HAVE LIMITED MILITARY CAPABILITY AND SECURITY MUST BE THEIR PRIMARY CONCERN.

5. COMMENT: IT IS UNCLEAR WHETHER EXCHANGE HAS SIGNIFICANCE BEYOND REITERATING ESTABLISHED POSITIONS FOR THE RECORD SINCE ALL INTERVENTIONS WERE RELATIVELY LOW KEY. DALE

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